

and for the further reason that the article contained an added poisonous and deleterious ingredient, to wit, arsenic, which might render the said article injurious to health.

On May 20, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY,
Acting Secretary of Agriculture.

9430 (Supplement to Notice of Judgment 8903). Adulteration and misbranding of orange crush. U. S. * * * v. 22 Cases of Orange Crush, So-Called. Supplemental decree of the court ordering release of the product under bond. (F. & D. No. 11461. I. S. No. 6246-r. S. No. C-1491.)

On January 25, 1921, the court entered a supplemental decree in the above case as follows: A decree having been heretofore entered for the condemnation and destruction of the above-named property, and the Orange Crush Co., claimant, having since paid the costs and now having filed a bond in accordance with the provisions of the law, it is ordered that the said property above-mentioned be delivered by the marshal to the said Orange Crush Co., claimant.

C. W. PUGSLEY,
Acting Secretary of Agriculture.

9431. Adulteration and misbranding of kidney beans. U. S. * * * v. 40 Cases of Alleged Kidney Beans. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 12088. I. S. No. 8880-r. S. No. C-1743.)

On February 14, 1920, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 40 cases of alleged kidney beans, remaining in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped by the Western Grocery Co. Mills, Marshalltown, Iowa, on or about January 6, 1920, and transported from the State of Iowa into the State of Minnesota, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled, (on shipping package) "Red Kidney Beans."

Adulteration of the article was alleged in the libel for the reason that long cranberry beans had been mixed and packed with, and substituted wholly or in part for, the article.

Misbranding was alleged for the reason that the statement, "Red Kidney Beans," was false and misleading and deceived and misled the purchaser when applied to a product containing long cranberry beans. Misbranding was alleged for the further reason that the article was an imitation of, and was sold under the distinctive name of, another article.

On May 11, 1921, the Marshall Canning Co., Marshalltown, Iowa, having entered an appearance as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the product be relabeled so as to show its true nature and character.

C. W. PUGSLEY,
Acting Secretary of Agriculture.